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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION**

KLAMATH-SISKIYOU WILDLANDS
CENTER, *et al.*,

APPLEGATE SISKIYOU ALLIANCE,

Plaintiffs,

v.

UNITED STATES BUREAU OF LAND
MANAGEMENT,

Defendant,

AMERICAN FOREST RESOURCE
COUNSEL; ASSOCIATION FOR O&C
COUNTIES

Intervenor-Defendants.

Case No.: 1-23-cv-00519-CL (Lead Case)
Case No.: 1-23-cv-01163-CL (Trailing Case)

Honorable M.J. Mark D. Clarke

**DECLARATION OF JAIME L.
STEPHENS on behalf of KLAMATH
BIRD OBSERVATORY**

I, Jaime L. Stephens on behalf of Klamath Bird Observatory, declare as follows:

1. Klamath Bird Observatory is a non-advocacy science-based NGO advancing bird conservation through science, education, and partnerships. We emphasize the role of birds as

indicators of the health of the land and we specialize in bird monitoring and research projects that inform natural resource management. We are headquartered in Ashland, Oregon, with 12 permanent staff living in the Rogue Valley. We have over 25 years of experience working across the Pacific Northwest, and locally in partnership with the Medford BLM through planning, research and monitoring, and adaptive management. Our work includes informing small diameter thinning for ecological purposes on both federal and private lands, including BLM administered lands in the Rogue Basin.

2. Klamath Bird Observatory serves as the Coordinator for the Klamath Siskiyou Oak Network (KSON) - a collaborative regional partnership working to conserve oak habitats on private and public lands in southern Oregon and northern California. It is estimated that less than 25 percent of historic prairie-oak habitat remains across Oregon, with a similar pattern across the Pacific Northwest. Historically, oak habitats were maintained by frequent, low severity fires. Now after decades of fire suppression, less fire-resistant, yet faster growing tree species such as Douglas-fir are crowding oak trees and growing taller than them, competing for resources such as sunlight and water. The most extensive remaining oak woodlands in Oregon, and also those with the highest restoration need, are found in southwest Oregon, including the Rogue Valley. One strategy identified in the *KSON Strategic Conservation Action Plan* is to remove conifer trees that are crowding oaks. For example, in an oak restoration project a common approach is to remove non-commercial sized Douglas-fir (and sometimes pines and cedars depending on site conditions) that are growing under the canopy of oak trees, and radially out from the canopy another 10 feet; this allows the oak canopy to have full access to sunlight and the roots to have access to more water. Restoration also strives to return forest stands to a low to moderate

severity predicted future fire behavior. This is also accomplished through non-commercial thinning, reducing basal area and breaking-up fuel continuity.

3. This restoration work is urgent and there is a need to increase the pace and scale. There are over 600,000 acres of oak woodland and mixed-oak conifer in the KSON geography, much of which includes oak trees threatened by tall and overly dense conifer trees that block sunlight and increase risk of high severity fire. This threat causes oak trees to decline in health and vigor and, over time, to die. We have a very narrow window of time in which this restoration work can protect and promote existing oak trees and associated ecosystems, and known risks are now further exacerbated with climate, extreme fire, insects, and disease. For example, in addition to the threats to oak ecosystems identified in the *KSON Strategic Conservation Action Plan*, now, Douglas-fir trees in the Rogue Basin are experiencing extensive and dramatic die-off, and the mortality rate is expected to increase significantly in the coming years. The die-off of Douglas-fir trees results from forests becoming overcrowded in the absence of low-severity fire, and it is compounded by climate change with prolonged drought and extreme heat waves which cause high stress levels in trees, making them highly susceptible to mortality from wood-boring insects. While potentially alleviating a direct threat to oak trees, more dead and dying Douglas-fir trees in our forests will lead to increased wildfire risk and severity. And, while dead trees, both standing and, on the ground, provide excellent wildlife habitat, excessive densities of declining and infested trees will contribute to unnaturally severe wildfires; fires inconsistent with the historical fire regime of mixed oak conifer ecosystems. This new risk factor makes this restoration work under the IVM Program even more timely.

4. The IVM-RL EA is a critical tool to increase the pace and scale of restoration during this time of unprecedented need. KSON's Upper Rogue Oak Initiative is a prime example of a project that is designed to apply strategic restoration actions, in the highest priority area, and to do so in a timely manner across all-lands to best achieve landscape-scale objectives. The Initiative is supported by \$7 million dollars from Oregon Watershed Enhancement Board Focused Investment Partnerships and \$2.78 million from National Fish and Wildlife Foundation (NFWF) America the Beautiful Challenge, with \$3 million in matching dollars from BLM, USFWS Partners for Fish and Wildlife Program, other agencies, NGOs, and foundations. Funding is supporting implementation of restoration actions on 3,650 acres, half of the acres on private lands and half on lands administered by the BLM within the Agate Oak Project footprint. The restoration actions being applied in this Initiative align with those analyzed in the IVM-RL EA for non-commercial thinning. Securing these large amounts of competitive funding would not have been possible without the programmatic NEPA being in place to support this 'shovel-ready' project and the BLM match dollars that are required to meet grant requirements.

5. In addition to restoration actions, funding for the Initiative supports partnership coordination, tribal engagement, community outreach, implementation of the KSON Ecological Monitoring Plan, and adaptive management toward the co-production of oak ecosystem restoration guidelines. This work is ongoing, with millions of dollars already spent. In 2022, at the onset of the Initiative, KSON partners applied criteria to select the most appropriate BLM acres for the application of these restoration dollars on federal lands. Based on those priority acres, strategically located private landowners have been successfully recruited for restoration

actions. If the BLM is unable to implement the Agate Oak Project under the IVM-RL EA it will have cascading impacts to KSON's Upper Rogue Oak Initiative. Because the Initiative specifically addressed the complicated checkerboard ownership of the Rogue Basin, leaving the BLM lands unrestored would reduce positive impacts at the landscape-scale and has the potential to negatively impact community support for active forest management. Pre-restoration monitoring has already been completed on BLM acres, so that financial investment would be lost as well. In contrast, should the Agate Oak Project move forward, the Initiative has strong potential to provide an early demonstration of the application of IVM-RL Program that can be shared broadly through partner-driven outreach, monitoring, and adaptive management.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.



Jaime L. Stephens

Dated: June 18, 2025